

**CITY OF EL PASO, TEXAS**  
**AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** Planning, Research & Development

**AGENDA DATE:** Public Hearing: October 4, 2005

**CONTACT PERSON/PHONE:** Christina Valles, 541-4930

**DISTRICT(S) AFFECTED:** 8

**SUBJECT:**

A Resolution approving a Detailed Site Development Plan, for a portion of Lot 1, Block 1, Mesa Hills West, El Paso, El Paso County, Texas, pursuant to a Special Contract condition imposed by Ordinance No. 7718. The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 400 Block of Mesa Hills. Applicant: Investment Builders. ZON05-00084 (District 8)

**BACKGROUND / DISCUSSION:**

See attached report.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee (DCC) – Approval Recommendation  
City Plan Commission (CPC) – Approval Recommendation

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** George Sarmiento, AICP

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

## RESOLUTION

**A RESOLUTION APPROVING A DETAILED SITE DEVELOPMENT PLAN, FOR A PORTION OF LOT 1, BLOCK 1, MESA HILLS WEST, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO A SPECIAL CONTRACT CONDITION IMPOSED BY ORDINANCE NO. 7718. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

**WHEREAS, Investment Builders, (the "Applicant")** has applied for approval of a detailed site development plan pursuant to a special contract condition, to permit the construction and development of an apartment complex; and

**WHEREAS,** a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

**WHEREAS,** the City Plan Commission has approved and herein recommends Council approval of the subject detailed site development plan; and

**WHEREAS,** the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. Pursuant to requirements imposed by a special contract condition, the City Council hereby approves the detailed site development plan submitted by the Applicant, to permit the construction and development of an apartment complex on the following described property which is located in a A-2/sc (Apartment/special contract) District:

*A portion of Lot 1, Block 1, Mesa Hills West, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached and incorporated Exhibit "A";*

A copy of the approved detailed site development plan, signed by the Applicant, the City Manager and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "B" and incorporated herein by reference.

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the A-2/sc (Apartment/special contract) District regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **A-2/sc (Apartment/special contract)**. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

ADOPTED this \_\_\_\_\_ day of October, 2005.


THE CITY OF EL PASO

\_\_\_\_\_  
John F. Cook  
Mayor


ATTEST:

\_\_\_\_\_  
Richarda Duffy Momsen, City Clerk

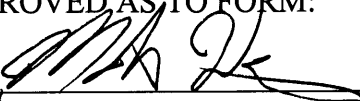
APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Christina Valles, Planner I  
Planning, Research & Development  
Department

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Rodolfo Valdez, Chief Urban Planner  
Planning, Research & Development  
Department

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Matt Watson,  
Assistant City Attorney

(Agreement on following page)

## DEVELOPMENT AGREEMENT

By execution hereof, I, Antonio Gallardo, in my legal capacity for Investment Builders ("Applicant"), identified in the Resolution to which this Development Agreement is attached, hereby covenant and agree, on behalf of Investment Builders, to develop the property legally described as *a portion of Lot 1, Block 1, Mesa Hills West, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached and incorporated Exhibit "A" to the resolution approving the detailed site development plan*, in accordance with the approved detailed site development plan attached as Exhibit "B" to the resolution approving the detailed site development plan and incorporated herein by reference and in accordance with the standards applicable to the **A-2/sc (Apartment/special contract) District** located within the City of El Paso.

EXECUTED this 23 day of September, 2005.

Antonio Gallardo Sr. V.P.  
Name/Title

[Signature]  
Signature

## ACKNOWLEDGMENT

THE STATE OF TEXAS )

)

COUNTY OF EL PASO )

This instrument is acknowledged before me on this 23RD day of September, 2005, by Antonio Gallardo, in his legal capacity on behalf of Investment Builders.

My Commission Expires: 07-26-2008



Maria G. Richman  
Notary Public, State of Texas  
Notary's Printed or Typed Name:  
MARIA G. RICHMAN

Property Description: A portion of Lot 1, Block 1, Mesa Hills West, El Paso, El Paso County, Texas.

#### METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a portion of Lot 1, Block 1, Mesa Hills West, El Paso, El Paso County, Texas and is more particularly described by metes and bounds as follows:

Commencing at an existing city monument lying on a centerline point of curvature of South Mesa Hills Drive, said point lying opposite to Lot 14, Block 15, Crestmont Hills Unit Four; Thence, 108.68 feet along said centerline and along the arc of a curve to the left, having a radius of 1026.46 feet, a central angle of  $06^{\circ} 03' 58''$  and a chord which bears South  $16^{\circ} 36' 54''$  West, a distance of 108.62 feet; Thence, North  $75^{\circ} 58' 53''$  West, a distance of 46.17 feet to a point lying on the westerly right-of-way line of South Mesa Hills Drive, to a point for a curve, said point being the TRUE POINT OF BEGINNING of this description;

THENCE, along said right-of-way line, the following courses:

439.24 feet along an arc of a curve to the left, having a radius of 146.72 feet, a central angle of  $171^{\circ} 31' 55''$  and a chord which bears South  $05^{\circ} 33' 02''$  West, a distance of 292.63 feet to a point for a curve;

769.09 feet along an arc of a curve to the right, having a radius of 271.43 feet, a central angle of  $162^{\circ} 20' 52''$  and a chord which bears South  $14^{\circ} 44' 05''$  West, a distance of 536.43 feet to a point;

South  $32^{\circ} 23' 13''$  West, a distance of 63.21 feet to a point for a curve;

846.14 feet along an arc of a curve to the right, having a radius of 920.00 feet, a central angle of  $52^{\circ} 41' 45''$  and a chord which bears South  $58^{\circ} 44' 06''$  West, a distance of 816.63 feet to a point for a curve;

12.91 feet along an arc of a curve to the right, having a radius of 950.00 feet, a central angle of  $06^{\circ} 46' 42''$  and a chord which bears South  $85^{\circ} 28' 19''$  West, a distance of 12.91 feet to a point lying on the common boundary line between Lot 1, Block 1, Mesa Hills West and Lot 1, Block 1, Punto Alegre;

THENCE, along said boundary line the following courses:

North  $58^{\circ} 06' 08''$  West, a distance of 203.25 feet to a point;

North  $45^{\circ} 02' 56''$  West, a distance of 365.23 feet to a point;

North  $45^{\circ} 42' 14''$  West, a distance of 67.76 feet to a point;

North  $40^{\circ} 35' 13''$  West, a distance of 91.44 feet to a point;

South  $49^{\circ} 24' 42''$  West, a distance of 26.63 feet to a point;

North  $44^{\circ} 57' 03''$  West, a distance of 382.28 feet to a point;

South  $70^{\circ} 46' 03''$  West, a distance of 713.27 feet to a set 5/8-inch iron with SLI cap lying on the common boundary line between Lot 1, Block 1, Mesa Hills West and Block 5, Crestmont Hills Addition Unit No. II;

THENCE, along said boundary line the following courses:

North 07° 17' 37" East, a distance of 107.17 feet to a point;

North 62° 11' 16" East, a distance of 532.28 feet to a point;

North 49° 48' 34" East, a distance of 573.40 feet to a point;

North 48° 03' 54" East, a distance of 475.60 feet to a point;

North 17° 07' 06" West, a distance of 84.72 feet to a point;

North 53° 37' 28" East, a distance of 20.17 feet to a point;

South 79° 11' 54" East, a distance of 5.79 feet to a point lying on the common boundary line between Lot 1, Block 1, Mesa Hills West and Tracts 34M2, 34M1, A. F. Miller Survey No. 214 and the westerly boundary line of Crestmont Hills Unit Four;

THENCE, South 31° 08' 54" East, along said boundary line, a distance of 1171.27 feet to a point lying on the southerly boundary line of Crestmont Hills Unit Four;

THENCE, along said boundary line, the following courses:

South 73° 53' 52" East, a distance of 292.68 feet to a point;

North 12° 06' 16" East, a distance of 776.57 feet to a point;

THENCE, South 75° 58' 53" East, a distance of 91.93 feet to the TRUE POINT OF BEGINNING of this description.

Said parcel of land contains 33.948 acres (1,478,781 sq. ft.) of land more or less.

SLI ENGINEERING, INC.  
Consulting Engineers-Land Surveyors

Guillermo Licon  
Registered Professional Land Surveyor  
Texas License No. 2998

August 3, 2005  
Job # 09-05-2319  
M&B\1239

JOHN COOK  
MAYOR

JOYCE WILSON  
CITY MANAGER

GEORGE G. SARMIENTO, AICP  
DEPUTY DIRECTOR



CITY COUNCIL  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
J. ALEXANDRO LOZANO, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
PRESI ORTEGA, JR., DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

**DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION**

September 20, 2005

**TO:** The Honorable Mayor and City Council  
Joyce A. Wilson, City Manager

**FROM:** Christina Valles, Planner II

**SUBJECT:** ZON05-00084

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The City Plan Commission (CPC), on September 8, 2005, **APPROVED (4-0)** this detailed site development plan request to permit an apartment complex.

The Development Coordinating Committee has recommended unanimous approval of this request based on the following: that this detailed site development plan request is in conformance with The Plan for El Paso; the proposed use is in conformance with the Year 2025 Projected General Land Use Map; and the proposed site plan complies with all ordained development standards of the A-2/sc (Apartment/special contract) zoning district.

The Planning Department has one letter of **OPPOSITION** to the proposed development.

**Attachment:** Site Plan, Location Map.

## **STAFF REPORT**

**Detailed Site Plan:** ZON05-00084

**Property Owner(s):** Investment Builders

**Applicant(s):** Investment Builders

**Representative(s):** SLI Engineering

**Legal Description:** A portion of Lot 1, Block 1, Mesa Hills West

**Location:** South Mesa Hills Drive and Suncrest Drive

**Representative District:** # 8

**Area:** 21 Acres

**Present Zoning:** A-2/sc (Apartment/special contract)

**Present Use:** Vacant

**Proposed Use:** Apartment complex

**Surrounding Land Uses:**

<b>North -</b>	R-3 (Residential) / Single-family residential
<b>South -</b>	C-1/sc (Commercial/special contract) / Vacant
<b>East -</b>	R-3 (Residential) / Warehouse
<b>West-</b>	A-O/sc/sp (Apartment-Office/special contract/special permit) / Apartments

**Year 2025 Designation:** Residential (Northwest Planning Area)

**CITY PLAN COMMISSION HEARING, SEPTEMBER 8, 2005,  
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

**ITEM # 2**



## **Detailed Site Development Plan: ZON05-00084**

### **General Information:**

The site plan was submitted in order to permit an apartment complex. Site plan review is required because a condition exists on the subject property. The property is currently zoned A-2/sc (Apartment/special contract). The site is currently vacant and is 21 acres in size. The proposed site plan shows an apartment complex to be located on the site.

Access is proposed via Mesa Hills Drive; 836 parking spaces are provided. A zoning condition is currently imposed on this property that requires detailed site development plan to approved by the City Plan Commission prior to the issuance of any building permits, and that no permanent structures be erected in the area designated as common open space.

### **Information to the Commission:**

The Department has received **one letter of OPPOSITION** to this application.

### **Staff Recommendation:**

The Development Coordinating Committee (DCC) unanimously recommends **APPROVAL** of this detailed site development plan.

The recommendation is based on the following:

**The Plan for El Paso** City-Wide Land Use Goals recommend that El Paso “provide a wide range of housing types that respond to the needs of all economic segments of the community.”

**The Year 2025 Projected General Land Use Map** for the Northwest Planning Area designates this property for Residential land uses.

**A-2/SC (Apartment/Special Contract) zoning** permits an apartment complex.

The Commission must determine the following:

Does the proposed development comply with all ordained development standards of the A-2/SC (Apartment/Special Contract) zoning district?

**Information To The Applicant:**

Building Permits and Inspections Department:

Zoning Division Notes:

1. Meets parking and development standards.
2. Shall require 6ft high masonry wall where abutting to residential district(s).

Landscaping Division Notes:

This project will require landscaping.

Engineering, Land Development Division Notes:

No Objections.

Engineering, Traffic Division Notes:

No apparent traffic concerns.

Fire Department Notes:

No comments.

El Paso Water Utilities Notes:

No Objections.

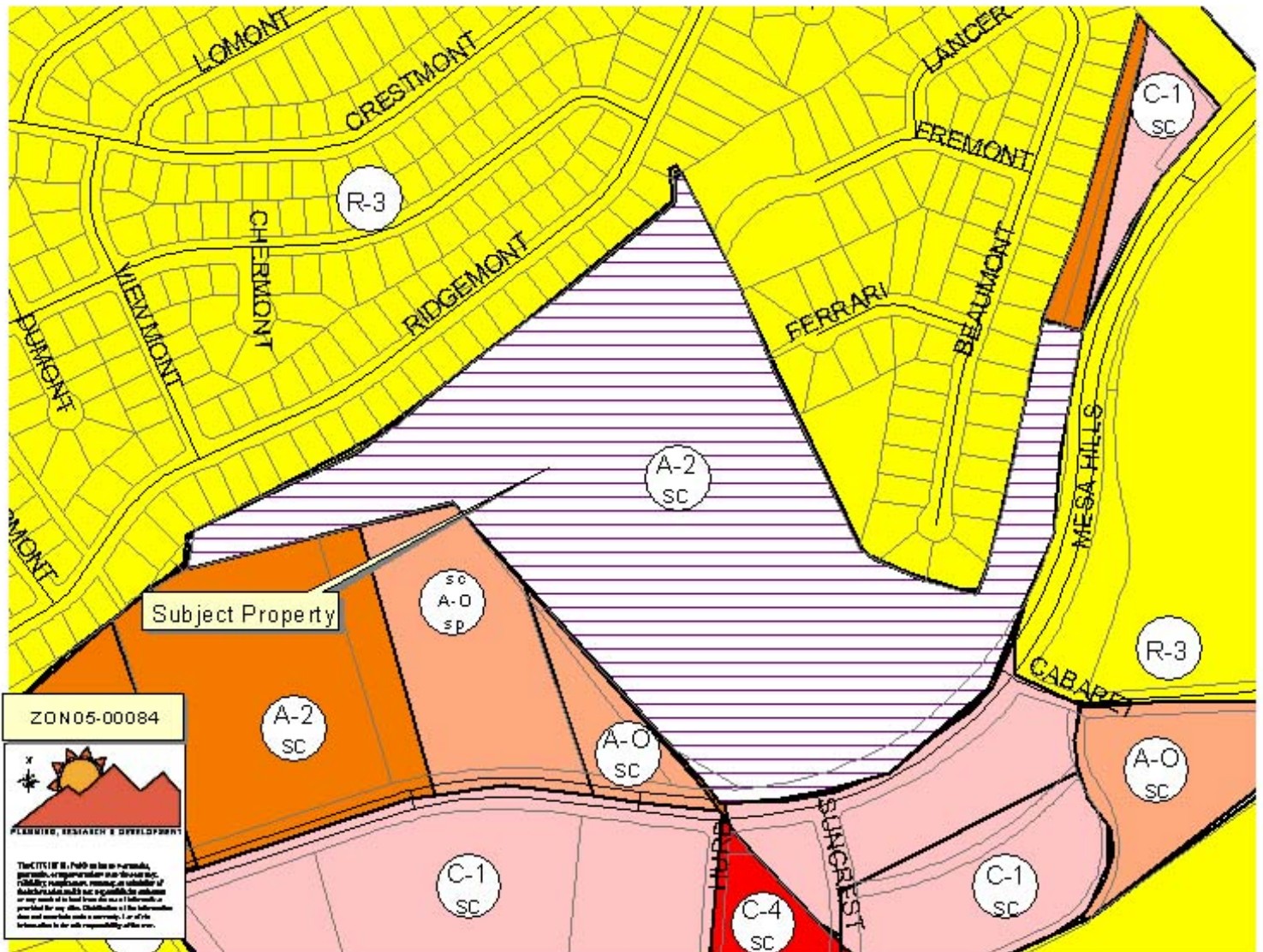
Planning, Research and Development Department Notes:

Recommend approval of the detailed site development plan review.

**ATTACHMENT:** Location Map; Site Plan; Special Contract, Letter.

**NOTE TO THE PROPERTY OWNER:** CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE DEPARTMENT OF PLANNING AT (915) 541-4056.

## LOCATION MAP





## AERIAL MAP





## GENERALIZED PLOT



Ord # 7718

Mesa Hills Drive  
82-

35-1  
5-20

CORRECTION CONTRACT

THIS CORRECTION CONTRACT, made this 25<sup>th</sup> day of September, 1985, by and between DERRICK & SCHAEFER INCORPORATED, First Party, and the CITY OF EL PASO, Second Party, witnesseth:

Application has been made to the City of El Paso for rezoning portion of Tract 34A, A.F. Miller Survey #214 and Tract 4A, A.F. Miller Survey #215, City and County of El Paso, Texas which are more particularly described by metes and bounds as Parcels 1, 2 and 3 in the attached exhibits which are made a part hereof by reference. To remove certain objections to such rezoning, First Party covenants that if the property is respectively rezoned to A-2 (Apartment), C-1 (Commercial) and A-0 (Apartment-Office) Districts within the meaning of the zoning ordinance of the City of El Paso, it shall be subject to the following restrictions, conditions and covenants:

1. No building permits shall be issued for construction until a detailed site development plan has been approved by the Commission and City Council for the parcels for which the permits are being requested.

2. No building permits shall be issued for construction until a subdivision plat is approved and filed of record for the parcels for which the permits are being requested.

3. If Parcel 3 (A-0) is developed for offices, access to Cabaret Drive shall be prohibited.

4. The pedestrian path located in A.F. Miller Survey #215 (Tracts 4K1 and 4E) will be rerouted as shown on the map identified as Exhibit "A", attached hereto and made a part hereof by reference. Except for that portion of the path in the right-of-way of Mesa Hills Drive, which has already been improved with sidewalk or street paving, the path shall be 5 feet wide, have a subgrade to be compacted to 90% of maximum dry density, have a base of crushed stone 4 inches thick and be paved with 1 1/2 inches of Hot Mix Asphaltic Concrete (H.M.A.C.). The drainage pipe, which comes under Quail Hollow Shopping Center and into Tract 215 - 4K1 from the northeast, shall be extended under the path so as to prevent said path from flooding during period of rain. A permanent six-foot high rock wall shall be constructed adjacent to the path and its common north/south boundary with Quail Hollow Shopping Center in Tract 4K1, A.F. Miller Survey #215. The improvements in this paragraph 4 shall be completed prior to the issuance of a grading permit for the construction of Mesa Hills Drive.

Ord. 7718

Dated 3/29/83

Contract

Dated 3/17/83 Lorita A. Ray

82-4813  
RECEIVED

DEC 11 1985

PLANNING DEPARTMENT



Leonor "Marti" Provencio  
5721 Beaumont Place  
El Paso, Texas 79912

City Plan Commission  
Second Floor, City Hall  
2 Civic Center Plaza  
El Paso, Texas 79901-1196

Case Number ZON05-00084

Plan Commission Members:

As a property owner in the Crestmont Hills area, whose backyard directly overlooks the majority of the 22 acres being considered for site development, I wish to express my concerns about proposed construction projects in this area.

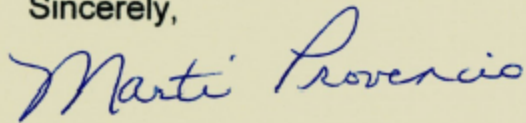
Not very long ago our Mesa Hills community expressed vigorous opposition to multi-family apartment units going up in this area due to the already crowded schools, the saturation of other low-income housing in the immediate vicinity, and to the congestion created by adding more residents and their vehicles to very busy South Mesa Hills traffic. My understanding is that the same developer wants to try once again to add apartments to this same area, a project that has been turned down by your commission before.

If the proposal is for business or office or retail development I have no opposition. South Mesa Hills is a prime conduit for business, sitting as it does between North Mesa Street and the Sunland Park Mall. **If the proposed development is for multi-family dwellings then I wish to express my opposition for the same reasons stated previously: congested schools, congested traffic corridors, and saturation of multifamily dwellings (including low-income units) in the South Mesa Hills area.**

With El Paso running out of usable land, perhaps more emphasis should be placed on infilling within the city. I have seen recently constructed quadraplexes in older residential areas whose attractive designs have done much to improve the neighborhood's sense of pride. There would seem to be more of a sense of community when multifamily units are kept small and in areas when they don't have to compete with office complexes, call centers, I-10 shortcuts, which we have in the area being considered.

I thank you for soliciting the comments of the residents who stand to be the most impacted by this site development. I trust you will weigh the benefits to all those involved and find a solution that is fair and yet encourages free enterprise to those seeking to develop this area.

Sincerely,



Marti Provencio